

REMARKS

Reconsideration and withdrawal of the objection and rejections set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1-6 and 9-12 are now pending in this application, with Claims 1, 2, 11 and 12 being independent. Claims 7 and 8 have been cancelled without prejudice or disclaimer of the subject matter recited therein. Claims 1-5 and 9-11 have been amended and Claim 12 is newly-presented herein.

Claims 3 and 8 were objected to for minor informalities. Claim 8 has been cancelled and Claim 3 has been amended herein to eliminate the term “and/or”. Accordingly, reconsideration and withdrawal of the objection to Claims 3 and 8 are respectfully requested.

Claims 3, 4 and 7-10 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. Without conceding the propriety of this rejection, Applicants have reworded the language questioned by the Examiner where appropriate. The Examiner suggested that the rejected claims “recite both the apparatus as well as method steps.” However, much of the features recited in these dependent claims is merely language describing the functions of the various elements. No method steps are recited. Reconsideration and withdrawal of the § 112, second paragraph, rejection are also requested.

Claims 1, 4, 5 and 11 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent Application Publication No. 2004/0113966 (Chung) in view of U.S. Patent No. 5,074,690 (Del Signore, II et al.). Although Claim 5 is not specifically addressed in this rejection, in a telephone conversation with the Examiner on January 25, 2006, Applicants' undersigned representative was advised that Claim 5 should have been rejected herein. Claim 2, 3 and 6 were rejected under 35 U.S.C. § 103 as being unpatentable over Chung in view of Del Signore, II et al. and U.S. Patent No. 5,477,963 (Mochizuki et al.). Claim 9 was rejected under § 103 as being unpatentable over Chung in view of Del Signore, II et al. and U.S. Patent No. 6,318,834 (Otsuka et al.). Claim 10 was rejected under 35 U.S.C. § 103 as being unpatentable over Chung in view of Del Signore, II et al. and U.S. Patent No. 6,074,107 (Sahori et al.). These rejections are respectfully traversed.

Chung relates to a method and apparatus for inspecting a home position of an ink jet printer carriage. The carriage is moved in a first direction away from a home position and moved in a second direction towards the home position. First and second positions of movement are determined and compared with maximum moving distances to determine whether an error exists in the home position. However, Applicants submit that Chung does not disclose or suggest at least a restricting member for interfering with an ink tank to limit a travel range of the printhead to less than a proper travel range only if the ink tank mounted on the printhead is not properly mounted on the printhead, as is recited in

each of the independent claims. The “foreign substance or other factors” in paragraph [0048] of Chung cannot be construed as such a restricting member. Chung also cannot disclose or suggest determining, based on a detected travel range, at least one of the kinds and number of ink tanks that are not properly mounted on the printhead, as is further recited in independent Claims 1 and 11.

Thus, Chung fails to disclose or suggest important features of the present invention recited in the independent claims.

The remaining citations have been reviewed, but are not believed to remedy the deficiencies of Chung noted above with respect to the independent claims.

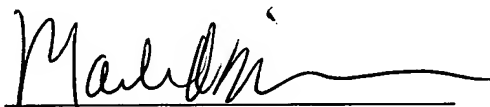
Thus, independent Claims 1, 2, 11 and 12 are patentable over the citations of record. Reconsideration and withdrawal of the § 103 rejections are respectfully requested.

For the foregoing reasons, Applicants respectfully submit that the present invention is patentably defined by independent Claims 1, 2, 11 and 12. Dependent Claims 3-6, 9 and 10 are also allowable, in their own right, for defining features of the present invention in addition to those recited in their respective independent claims. Individual consideration of the dependent claims is requested.

Applicants submit that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the objection and rejections set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark A. Williamson', written over a horizontal line.

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